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In re application of:

Levin, et al.

Serial. No. 10/047,412

Filed: January 14, 2002

For: Herbicide Target Genes and Methods

Art Unit: 1635

Examiner: TBA

Atty Docket: PB/5-30780DIV

Confirmation No.: 6889

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

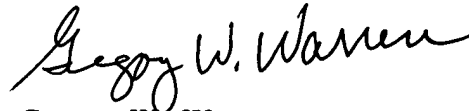
In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the references cited on the attached Form PTO-1449. Pursuant to 37 CFR §1.98(d) copies of all references cited on the attached Form PTO-1449 are not provided because they are of record in parent Application No. 09/480,921 filed January 11, 2000 and copies should be available therein. However, applicants are willing to send copies of any or all of these references at the Examiner's request.

The submission of these references is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed PTO 1449 forms.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-0134.

Respectfully submitted,



Gregory W. Warren  
Agent for Applicants  
Registration No. 48,385

Syngenta Biotechnology, Inc.  
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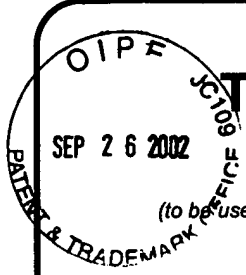
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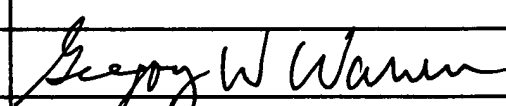
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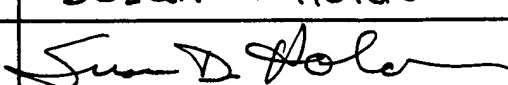
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 <p><b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)</p>	Applicati n Number	10/047,412
	Filing Date	01/14/2002
	First Named Inventor	LEVIN
	Group Art Unit	1635
	Examiner Name	TBA
Total Number of Pages in This Submission		6
Attorney Docket Number		PB/5-30780DIV

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Firm or Individual name	Gregory W. Warren, Agent for Applicants, Registration No. 48,385
Signature	
Date	9/20/02

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>September 20, 2002</u>			
Typed or printed name	Susan D. Holder		
Signature		Date	9/20/02

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## INFORMATION DISCLOSURE CITATION

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APPLICANT

LEVIN ET AL.

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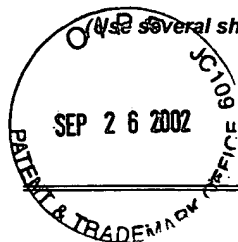
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	5,919,999	07/06/99	Ko et al.	800	298	11/14/96
	AB	5,162,602	11/10/92	Somers et al.	800	235	6/18/90
	AC	5,013,659	5/7/91	Bedbrook et al.	435	172.3	3/4/88
	AD	6,303,365	10/16/01	Martin et al.	435	252.3	11/24/99
	AE						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AF	0 154 204	9/11/85	EPO			<input type="checkbox"/>	<input type="checkbox"/>
	AG						<input type="checkbox"/>	<input type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

AH	Craigien, W.J. et al., "Bacterial peptide chain release factors: Conserved primary structure and possible frameshift regulation of release factor 2," Proc. Natl. Acad. Sci. USA, 82: pp.3616-3620 (1985)
AI	Craigien, W.J. et al., "The function, structure and regulation of <i>E. coli</i> peptide chain release factors," Biochimie, 69: pp.1031-1041 (1987)
AJ	EMBL Sequence Accession Number B24357 October 13, 1997
AK	Errampalli, D. et al., "Embryonic Lethals and T-DNA Insertional Mutagenesis in <i>Arabidopsis</i> ," The Plant Cell, 3: pp.149-157 (1991)
AL	Gautier, T. et al., "Nucleolar KKE/D Repeat Proteins Nop56p and Nop58p Interact with Nop1p and Are Required for Ribosome Biogenesis," Molecular and Cellular Biology, 17(12): pp.7088-7098 (1997)
AM	International Search Report for application number PCT/EP00/00246
AN	Ito, K. et al., "Single amino acid substitution in prokaryote polypeptide release factor 2 permits it to terminate translation at all three stop codons," Proc. Natl. Acad. Sci. USA, 95: pp.8165-8169 (1998)
AP	Johzuka, K and Ogawa, H., "Interaction of Mre11 and Rad50: Two Proteins Required for DNA Repair and Meiosis-Specific Double-Strand Break Formation in <i>Saccharomyces cerevisiae</i> ," Genetics, 139: pp.1521-1532 (1995)
AQ	Jurgens, G. et al., "Genetic analysis of pattern formation in the <i>Arabidopsis</i> embryo," The Company of Biologists Limited, Development Supplement 1, pp.27-38 (1991)

EXAMINER

DATE CONSIDERED

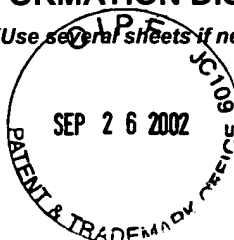
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AR	Ko, K. et al., "Isolation and Characterization of a cDNA Clone Encoding a Member of the Com44/Cim44 Envelope Components of the Chloroplast Protein Import Apparatus," Journal of Biological Chemistry, 270(48): pp.28601-28608 (1995)
AS	Koncz, C. et al., "High-frequency T-DNA-mediated gene tagging in plants," Proc. Natl. Acad. Sci. USA, 86: pp.8467-8471 (1989)
AT	Kuzuyama, et al., Tetrahedron Letters, Vol. 39, pages 7913-7916, 1988
AU	Mayer, U. et al., "Mutations affecting body organization in the <i>Arabidopsis</i> embryo," Nature, 353: pp.402-407 (1991)
AV	Morin, P.J. et al., "Genetic Analysis of Growth Inhibition by GAL4-IkB- $\alpha$ in <i>Saccharomyces cerevisiae</i> ," Cell Growth & Differentiation, 6: pp.789-798 (1998)
AW	Pang, P. et al., "A Component of the Chloroplast Protein Import Apparatus Functions in Bacteria," Journal of Biological Chemistry, 272(41): pp.25623-25627 (1997)
AX	Paull, T.T. and Gellert, M., "The 3' to 5' Exonuclease Activity of Mre11 Facilitates Repair of DNA Double-Strand Breaks," Molecular Cell, 1: pp.969-979 (1998)
AY	Rzepecki, R. et al., "Interaction of the <i>Pisum sativum</i> nuclear matrix proteins with SAR DNA," Acta Biochimica Polonica, 42(1): pp.75-82 (1995)
AZ	Schwender, J. et al., "Cloning and heterologous expression of a cDNA encoding 1-deoxy- $\Delta$ -xylulose-5-phosphate reductoisomerase of <i>Arabidopsis thaliana</i> ," FEBS Letters, 455: pp.140-144 (1999)
BA	Schwender, et al, Accession No.: T52570, 1999
BB	Stahl, T. et al., "Tic40, a New "Old" Subunit of the Chloroplast Protein Import Translocon," Journal of Biological Chemistry, 274(52): pp.37467-37472 (1991)
BC	Takahashi, S. et al., "A 1-deoxy- $\Delta$ -xylulose 5-phosphate reductoisomerase catalyzing the formation of 2-X-methyl- $\Delta$ -erythritol 4-phosphate in an alternative nonmevalonate pathway for terpenoid biosynthesis," Proc. Natl. Acad. Sci. USA, 95: pp.9879-9884 (1998)
BD	Topping, J.F., "Mutations in the <i>HYDRA1</i> gene of <i>Arabidopsis</i> perturb cell shape and disrupt embryonic and seedling morphogenesis," Development, 124: pp.4415-4424 (1997)
BE	Weidenhammer, E.M. et al., "Prp31p Promotes the Association of the U4/U6-U5 Tri-snRNP with Prespliceosomes to Form Spliceosomes in <i>Saccharomyces cerevisiae</i> ," Molecular and Cellular Biology, 17(7): pp.3580-3588 (1997)

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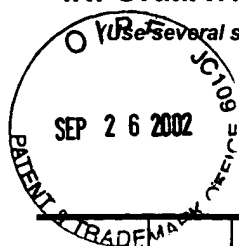
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**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent pages, Etc.)

BF	Weidenhammer, E.M. et al., "The <i>PRP31</i> gene encodes a novel protein required for pre-mRNA splicing in <i>Saccharomyces cerevisiae</i> ," Nucleic Acids Research, 24(6): pp.3580-3588 (1996)
BG	Wu, C. et al., "Identification of Chloroplast Envelope Proteins in Close Physical Proximity to a Partially Translocated Chimeric Precursor Protein," Journal of Biological Chemistry, 269(51): pp.32264-32271 (1994)
BH	Zhou, D.-X. et al., "COP1b, an isoform of COP1 generated by alternative splicing, has a negative effect on COP1 function in regulating light-dependent seedling development in Arabidopsis," Molecular & General Genetics, 257: pp.387-391 (1998)
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